

PTO/SB/21 (02-04)

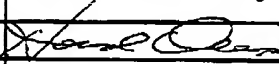
Approved for use through 07/31/2006. OMB 0651-0031

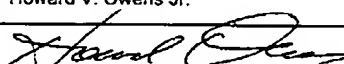
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/678,023	
	Filing Date	10/01/2003	
	First Named Inventor	Phyllis A.W. Martin et al.	
	Art Unit	1651	
	Examiner Name	Irene Marx	
Total Number of Pages in This Submission	4	Attorney Docket Number	0136.02

**RECEIVED
CENTRAL FAX CENTER
APR 17 2006**

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks This is in response to the Examiners Office Action dated 03/17/2006	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Howard V. Owens Jr., Reg. No. 58,219	
Signature		
Date	April 17, 2006	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Facsimile No. 571-273-8300 on the date indicated below.			
Typed or printed name	Howard V. Owens Jr.		
Signature		Date	April 17, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being facsimile transmitted to
the United States patent and Trademark Office.. (Fax No.)

On 4/17/06

USDA, Agricultural Research Service, Office of Technology Transfer

By: Harold Owen

PATENT
USDA Docket No.: 0136.02

RECEIVED
CENTRAL FAX CENTER
APR 17 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Phyllis Martin et al.

Application No.: 10/678,033

Filed: October 1, 2003

For: CHROMOBACTERIUM
SUBTSUGAE SP. NOV. AND USE FOR
CONTROL OF INSECT PESTS

Customer No.: 25278

Confirmation No. 1052

Examiner: Irene Marx

Technology Center/Art Unit: 1651

RESPONSE TO RESTRICTION
REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed March 17, 2006, please enter the
following amendments and remarks:

Remarks/Arguments begin on page 2 of this paper.